



December 7, 2001

Magalie R. Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW A-325
Washington, DC 20554

**Re: Oral Ex Parte Notice
Implementation of Sections 309(j) and 337 of the Communications
Act of 1934, as Amended, WT Docket No. 99-87**

To the Secretary:

This is to provide notice that, on December 6, 2001, the United Telecom Council (UTC) met with Bryan Tramont, Senior Legal Advisor to Commissioner Kathleen Abernathy. The primary purpose of the meeting was to discuss a proposal submitted by Nextel Communications concerning possible re-allocation of the 800 MHz land mobile frequency band.

During the meeting, the above-referenced proceeding was also discussed. UTC repeated its belief that Congress changed permanently the definition of "public safety radio services" when it included critical infrastructure systems such as those used by utilities and pipelines. UTC urged the FCC to include those entities encompassed by the new definition in the eligibility rules for any new allocation of spectrum to public safety services. This position is included in UTC's Petition for Clarification and Reconsideration, filed February 1, 2001.

This Notice is being filed pursuant to Section 1.1206 of the Commission's Rules and Regulations, 47 C.F.R. § 1.1206. If there are any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

/s/

Jill M. Lyon
Vice President & General Counsel

Cc: Bryan Tramont, Esq.